



General Assembly

## ***Amendment***

***February Session, 2018***

**LCO No. 3755**



Offered by:

REP. DEMICCO, 21<sup>st</sup> Dist.  
REP. HARDING, 107<sup>th</sup> Dist.  
REP. REYES, 75<sup>th</sup> Dist.  
SEN. KENNEDY, 12<sup>th</sup> Dist.  
SEN. MINER, 30<sup>th</sup> Dist.

To: Subst. House Bill No. **5130**

File No. 3

Cal. No. 35

***"AN ACT CONCERNING THE SEWAGE SPILL RIGHT-TO-KNOW  
ACT AND EXPANDING CONTINUING EDUCATION PROGRAMS  
FOR WASTEWATER OPERATORS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (d) of section 22a-416 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2018*):

6 (d) As used in this section the terms "class I", "class II", "class III" and  
7 "class IV" mean the classifications of wastewater treatment plants  
8 provided for in regulations adopted by the Department of Energy and  
9 Environmental Protection. The Commissioner of Energy and  
10 Environmental Protection may establish requirements for the presence  
11 of approved operators at pollution abatement facilities. Applicants for

12 class I and class II certificates shall only be required to pass the  
13 relevant standardized national examination prepared by the  
14 Association of Boards of Certification for Wastewater Treatment  
15 Facility Operators. Applicants for class III and class IV certificates shall  
16 only be required to pass the relevant standardized national  
17 examination prepared by the Association of Boards of Certification for  
18 Wastewater Treatment Facility Operators supplemented with  
19 additional questions submitted by the commissioner to such board.  
20 Operators with certificates issued by the commissioner prior to May  
21 16, 1995, shall not be required to be reexamined. The commissioner  
22 shall administer and proctor the examination of all applicants. The  
23 qualifications of the operators at such facilities shall be subject to the  
24 approval of the commissioner. The commissioner may adopt  
25 regulations, in accordance with the provisions of chapter 54, requiring  
26 all operators at pollution abatement facilities to satisfactorily complete,  
27 on a regular basis, a state-certified training course, which may include  
28 training on the type of municipal pollution abatement facility at which  
29 the operator is employed and training concerning regulations  
30 promulgated during the preceding year. Any applicant for certification  
31 who passed either the examination prepared and administered on  
32 December 8, 1994, by the commissioner or the examination prepared  
33 by the Association of Boards of Certification for Wastewater Treatment  
34 Facility Operators and administered on December 8, 1994, by the  
35 commissioner shall be issued the appropriate certificate in accordance  
36 with the regulations adopted under this section. On and after October  
37 1, 2018, each certified operator shall obtain not less than six hours of  
38 continuing education each year. A record of such continuing education  
39 shall be maintained by the certified operator and by the facility  
40 employing the operator and shall be made available for inspection  
41 upon request by the commissioner.

42 Sec. 2. Section 22a-424a of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective from passage*):

44 (a) For the purposes of this section:

45 (1) "Sewage treatment plant or collection system" means any sewage  
46 treatment plant, water pollution control facility, related pumping  
47 station, collection system or other public sewage works;

48 (2) "Sewage spill" means the diversion of wastes from any portion of  
49 a sewage treatment plant or collection system in this state that  
50 reasonably initiates public health, safety or welfare concerns, or  
51 environmental concerns; [and]

52 (3) "Combined sewer" means structures which are designed to  
53 convey both sanitary and storm sewage, and allow the overflow of  
54 such combined sewage, untreated, to the waters of the state during  
55 periods of high flows; and

56 (4) "Electronic report" means a reporting form that uses an electronic  
57 format as prescribed by the Commissioner of Energy and  
58 Environmental Protection.

59 (b) On and after July 1, 2013, the Commissioner of Energy and  
60 Environmental Protection shall post, on the department's Internet web  
61 site, a map of the state indicating the combined sewer overflows  
62 anticipated to occur during certain storm events. The web site may  
63 include the following relevant information about the overflows: (1)  
64 Location, anticipated duration and extent; (2) reasonable public health,  
65 safety or environmental concerns; and (3) public safety precautions  
66 that should be taken.

67 (c) (1) On and after July 1, 2014, the Commissioner of Energy and  
68 Environmental Protection shall post, on the department's Internet web  
69 site, notice of unanticipated sewage spills and waters of the state that  
70 have chronic and persistent sewage contamination that represents a  
71 threat to public health, as determined by the Commissioner of Energy  
72 and Environmental Protection in consultation with the Commissioner  
73 of Public Health. Any notice posted pursuant to this subsection may  
74 contain the following relevant information as best determined from the  
75 reported sewage spill incident: [(1)] (A) The estimated volume of  
76 discharge; [(2)] (B) the level of treatment of the discharge; [(3)] (C) the

77 date and time the incident occurred; [(4)] (D) the location of the  
78 discharge; [(5)] (E) the estimated or actual time the discharge ceased;  
79 [(6)] (F) the geographic area impacted by the discharge; [(7)] (G) the  
80 steps taken to contain the discharge; [(8)] (H) reasonable public health,  
81 safety or welfare concerns or environmental concerns; and [(9)] (I)  
82 public safety precautions that should be taken.

83 (2) On and after July 1, 2018, not later than two hours after  
84 becoming aware of any sewage spill, the operator of a sewage  
85 treatment plant or collection system shall submit an electronic report  
86 to the Department of Energy and Environmental Protection.

87 (3) On and after July 1, 2018, not later than two hours after  
88 becoming aware of any sewage spill that exceeds five thousand gallons  
89 or that is anticipated to exceed five thousand gallons, the operator of a  
90 sewage treatment plant or collection system shall notify the chief  
91 elected official of the municipality where the sewage spill occurred. As  
92 soon as practicable after receiving any such notification, such  
93 municipality shall inform the public and downstream public officials,  
94 as appropriate.

95 (d) The Commissioner of Energy and Environmental Protection  
96 shall consult with the Commissioner of Public Health, operators of  
97 sewage treatment plant or collection systems and state and local  
98 environmental and health agencies when developing the notice  
99 required by subdivision (1) of subsection (c) of this section.

100 (e) Any report to the Department of Energy and Environmental  
101 Protection that is required pursuant to section 22a-430-3 of the  
102 regulations of Connecticut state agencies shall be submitted as an  
103 electronic report.

104 (f) The failure to file an electronic report pursuant to any provision  
105 of this section shall be deemed a violation of the provisions of this  
106 section for purposes of section 22a-438."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	22a-416(d)
Sec. 2	<i>from passage</i>	22a-424a